IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MRS. JUSTICE K.HEMA

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

MFA.No. 298 of 2002()

WCC.149/1999 of W.C.C.,KOZHIKODE
.....

APPELLANT:

K.HARIPRAKASH, S/O.NARAYANAN,
KOZHIKKOLLY HOUSE, PANDIKKAD P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS:
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1. THE NATIONAL INSURANCE CO LTD.,
BRANCH OFFICE, PANDIKKADU ROAD,
MANJERI.

2. K.SUBRAMANIAN, S/O.K.NARAYANAN,
KOZHIKKOLLY HOUSE, PANDIKKADU P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.E.M.JOSEPH

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 20/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.HEMA,JJ.

M.F.A.NO.298 OF 20O2

Dated this the 20th day of September, 2007

JUDGMENT

Koshy, J.

The appellant filed an application for compensation under Section 22 of the Workmen's Compensation Act. It is not disputed that the appellant sustained personal injuries in an accident during the course of employment. Exhibit A2 is the wound certificate and Exhibit A3 is the discharge card. No disability certificate was produced. The injury was fracture of clavicle. In the memorandum of appeal there is no contention that there is loss of earning capacity due to the injuries sustained. But the appellant claimed that he was getting Rs.3,000/- as monthly income. That was accepted by the Tribunal. The appellant also claimed that because of the injury, for 8 months he was unable to do any work. Therefore, half monthly payment as compensation for 8 months period was allowed by the Tribunal and granted Rs.12,000/-. The calculation was made as per the provisions of the Act. 12% interest from the date of accident was also granted. In these circumstances, there is no substantial question of law. The appeal is dismissed.

J.B.KOSHY, JUDGE

K.HEMA, JUDGE

vgs.

J.B.KOSHY & K.HEMA, JJ.

M.F.A.NO.298 OF 2002

JUDGMENT

20.9.2007